



Entered on Docket
July 19, 2006

Bruce A. Markell

Hon. Bruce A. Markell
United States Bankruptcy Judge

6 Annette W. Jarvis, Utah Bar No. 1649
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11 and

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13 Nevada Bar No. 0399
Schwartzer & McPherson Law Firm
14 2850 South Jones Boulevard, Suite 1
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15 E-Mail: bkfilings@s-mlaw.com
16 Attorneys for Debtors and Debtors-in-Possession

17 **UNITED STATES BANKRUPTCY COURT**
18 **DISTRICT OF NEVADA**

19 In re:	Debtor.	Case No. BK-S-06-10725 LBR
20 USA COMMERCIAL MORTGAGE COMPANY,		Case No. BK-S-06-10726 LBR
21 In re:	Debtor.	Case No. BK-S-06-10727 LBR
22 USA CAPITAL REALTY ADVISORS, LLC,		Case No. BK-S-06-10728 LBR
23 In re:	Debtor.	Case No. BK-S-06-10729 LBR
24 USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,		Chapter 11
25 In re:	Debtor.	Jointly Administered Under
26 USA CAPITAL FIRST TRUST DEED FUND, LLC,		Case No. BK-S-06-10725 LBR
27 In re:	Debtor.	
28 USA SECURITIES, LLC,		

1 Affects:

- All Debtors
- USA Commercial Mortgage Company
- USA Securities, LLC
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA First Trust Deed Fund, LLC

5 **STIPULATION AND ORDER RESCHEDULING HEARINGS ON:**

6 **1. DEBTORS' APPLICATION TO EMPLOY AND RETAIN RAY QUINNEY &**
NEBEKER P.C. AS COUNSEL FOR THE DEBTORS;

7

8 **2. APPLICATION BY DEBTOR AND DEBTOR-IN-POSSESSION FOR**
AUTHORIZATION TO RETAIN AND EMPLOY SCHWARTZER & McPHERSON LAW
FIRM AS COUNSEL UNDER GENERAL RETAINER;

9

10 **3. DEBTOR'S MOTION FOR ORDER AUTHORIZING THE EMPLOYMENT**
AND RETENTION OF THOMAS J. ALLISON OF MESIROW FINANCIAL INTERIM
MANAGEMENT, LLC AS CHIEF RESTRUCTURING OFFICER
FOR THE DEBTORS AND DEBTORS-IN-POSSESSION
(AFFECTS ALL DEBTORS)

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14 IT IS HEREBY STIPULATED and AGREED by and between USA Commercial

15 Mortgage Company, USA Securities, LLC, USA Capital Realty Advisors, LLC, USA Capital

16 Diversified Trust Deed Fund, LLC, and USA Capital Trust Deed Fund, LLC (collectively, the

17 "Debtors") by and through their attorneys, the law firm of Schwartzer & McPherson and Ray

18 Quinney & Nebeker; the Official Committee of Holders of Executory Contract Rights through

19 USA Commercial Mortgage Company by and through its attorneys, Gordon & Silver, Ltd.; the

20 Official Unsecured Creditors Committee by and through its counsel, Lewis and Roca, LLP; the

21 Official Committee of Equity Security Holders of USA First Trust Deed Fund, LLC by and

22 through its counsel, Stutman, Treister & Glatt, L.P. and Shea & Carlyon, Ltd.; the Official

23 Committee of Equity Security Holders of USA Capital Diversified Trust Fund, LLC by and

24 through its counsel, Orrick Herrington & Sutcliffe, LLP and Beckley Singleton, Chtd.;

25 (collectively, the "Committees") and the Office of the United States Trustee, by and through

26 August B. Landis, Esq. (the "Trustee"); as follows:

27 WHEREAS, the Court has set an omnibus hearing for July 25, 2006 (the "July 25

28 Hearing") in the above-captioned cases; and

1 WHEREAS, an Order Granting Debtor's Application To Employ And Retain Schwartzer
2 & McPherson Law Firm As Counsel For All Debtors (the "S&M Employment Order") was
3 entered on June 5, 2006 which scheduled a continued hearing for July 27, 2006 at 9:30 a.m. to
4 consider an extension of the employment of Schwartzer & McPherson Law Firm; and

5 WHEREAS, an Order Granting Debtor's Application To Employ And Retain Ray Quinney
6 & Nebeker P.C. As Counsel For All Debtors (the "RQN Employment Order") was entered on June
7 5, 2006 which scheduled a continued hearing for July 27, 2006 at 9:30 a.m. to consider an
8 extension of the employment of Ray Quinney & Nebeker P.C.; and

9 WHEREAS, an Interim Order Authorizing The Employment And Retention Of Thomas J.
10 Allison Of Mesirow Financial Interim Management, LLC As Chief Restructuring Officer For The
11 Debtors And Debtors-In-Possession (the "Mesirow Employment Order") was entered on April 19,
12 2006 which scheduled a continued hearing for July 27, 2006 at 9:30 a.m. to consider an extension
13 of the employment of Thomas J. Allison of Mesirow Financial Interim Management, LLC; and

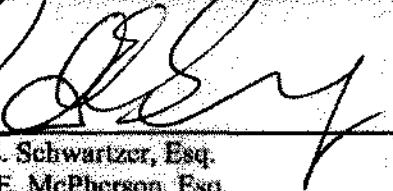
14 WHEREAS, Omnibus hearings are currently scheduled in this case on July 25, 2006 at
15 9:30 a.m. and these Motions are the only matters scheduled to be heard on July 27, 2006. Holding
16 a hearing on these Motions at the same time would serve the interests of judicial economy.

17 NOW, THEREFORE, the Parties hereby stipulate and agree as follows:

18 1. The continued hearings on the S&M Employment Order, RQN Employment Order,
19 and Mesirow Employment Order shall be heard on July 25, 2006 at 9:30 a.m. and any response or
20 opposition thereto shall be filed and served on or before July 21, 2006.

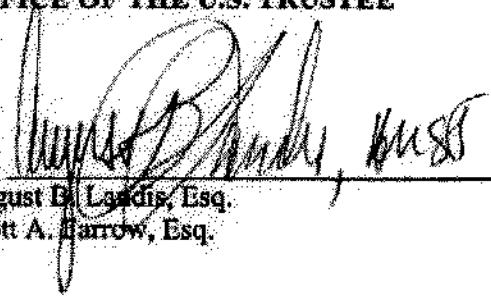
21 DATED this 18 day of July, 2006.

22 RAY, QUINNEY & NEBEKER, P.C. and
23 SCHWARTZER & MCPHERSON LAW
24 FIRM

25 By: 
26 Leonard E. Schwartzer, Esq.
27 Jeanette E. McPherson, Esq.

28 *Attorneys for the Debtors and Debtors in
Possession*

OFFICE OF THE U.S. TRUSTEE

By: 
August B. Landis, Esq.
Scott A. Barrow, Esq.

1 STIPULATION AND ORDER RESCHEDULING HEARING ON: 1. DEBTORS' APPLICATION
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 3 DEBTORS; 2. APPLICATION BY DEBTOR AND DEBTOR-IN-POSSESSION FOR
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 5 AS COUNSEL UNDER GENERAL RETAINER; 3. DEBTOR'S MOTION FOR ORDER
 AUTHORIZING THE EMPLOYMENT AND RETENTION OF THOMAS J. ALLISON OF
 MESIROW FINANCIAL INTERIM MANAGEMENT, LLC AS CHIEF RESTRUCTURING
 OFFICER FOR THE DEBTORS AND DEBTORS-IN-POSSESSION
 (AFFECTS ALL DEBTORS)

6 GORDON & SILVER, LTD.

7 By: 

8 Gerald M. Gordon, Esq.

9 Gregory M. Garman, Esq.

10 *Counsel for the Official Committee of Holders of
 11 Executory Contract Rights of USA Commercial
 12 Mortgage Company*

13 ORRICK, HERRINGTON & SUTCLIFFE
 14 LLP and BECKLEY SINGLETON, CHTD.

15 By: _____

16 Marc A. Levinson, Esq.

17 Brett A. Axelrod, Esq.

18 Anne M. Loraditch, Esq.

19 *Counsel for the Official Committee of Equity
 20 Security Holders of USA Capital Diversified
 21 Trust Deed Fund, LLC*

22 STUTMAN TREISTER & GLATT, L.P. and
 23 SHEA & CARLYON, LTD.

24 LEWIS AND ROCA, LLP

25 By: _____

26 Eve Karasik, Esq.

27 Christine Pajak, Esq.

28 Candace Carlyon, Esq.

*Counsel for the Official Committee of Equity
 21 Security Holders of USA Capital First Trust Deed
 22 Fund LLC*

23 By: _____

24 Susan M. Freeman, Esq.

25 Rob Charles, Esq.

26 *Counsel for the Official Committee
 27 of Unsecured Creditors of USA Commercial
 28 Mortgage Company*

29 **ORDER**

30 IT IS SO ORDERED.

31 PREPARED AND SUBMITTED by:

32 RAY, QUINNEY & NEBEKER, P.C. and

33 SCHWARTZER & MCPHERSON LAW FIRM

34 By: _____

35 Lenard E. Schwartz, Esq.

36 Jeanette E. McPherson, Esq.

37 Attorneys for the Debtors and Debtors in Possession

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5 **AS COUNSEL UNDER GENERAL RETAINER; 3. DEBTOR'S MOTION FOR ORDER**
6 **AUTHORIZING THE EMPLOYMENT AND RETENTION OF THOMAS J. ALLISON OF**
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8 **OFFICER FOR THE DEBTORS AND DEBTORS-IN-POSSESSION**
9 **(AFFECTS ALL DEBTORS)**

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12 **LLP and BECKLEY SINGLETON, CHTD.**

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17 *Executory Contract Rights of USA Commercial*
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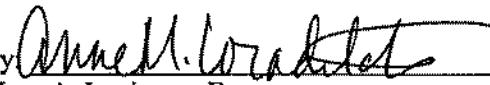
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